

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 IO-11

ACDA-05 OMB-01 /074 W

----- 075117

R 131641Z FEB 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6471

INFO AMEMBASSY WARSAW

AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 BONN 02526

E.O. 11652: GDS

TAGS: PFOR, GW, PL

SUBJECT: THE GERMAN/POLISH AGREEMENTS

1. WE DO NOT KNOW WHAT THE OUTCOME OF THE UPCOMING PARLIAMENTARY DEBATE OVER THE POLISH AGREEMENTS WILL BE, BUT, AS WE SEE IT, THE STATE OF PLAY IS AS FOLLOWS:

2. THE BUNDESTAG: THE THREE AGREEMENTS (CREDIT, EMIGRATION, AND PENSION) SAILED THROUGH COMMITTEE OVER THE OPPOSITION OF MOST OF THE CDU/CSU DEPUTIES. THEY WILL BE REPORTED OUT IN TIME FOR THE PLENARY DEBATE WHICH IS NOW SCHEDULED FOR FEB. 19. MOST OBSERVERS AGREE THAT ALL THREE AGREEMENTS WILL BE APPROVED BY THE BUNDESTAG ON THE 19TH. THE VOTE SHOULD FOLLOW PARTY LINES, WITH POSSIBLY 10-15 DEPUTIES FROM THE CDU/CSU DESERTING THEIR PARTY AND VOTING FOR APPROVAL OF THE AGREEMENTS.

3. THE BUNDESRAT: THE PENSION AGREEMENT, THE ONLY ONE WHICH MUST BE RATIFIED BY THE BUNDESRAT, IS CURRENTLY SCHEDULED FOR CONSIDERATION ON MARCH 12. ACCORDING TO THE BASIC LAW, THE BUNDESRAT MUST TAKE UP THE AGREEMENT WITHIN THREE WEEKS OF ITS SUBMISSION TO THE BUNDESRAT

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BY THE BUNDESTAG. THE OUTCOME OF THIS VOTE, AND THERE-

FORE THE FATE OF ALL THREE IS NOT CLEAR
AT THIS STAGE (BECAUSE IT IS AGREED THAT THE THREE
AGREEMENTS MUST BE TREATED AS A SINGLE PACKAGE).
SEVERAL OPPOSITION LEADERS, MOST IMPORTANTLY ROEDER
(MINISTER-PRESIDENT OF THE SAARLAND) AND HASSELMANN
(CDU CHAIRMAN IN LOWER SAXONY) ARE REPORTED TO FAVOR
POSTPONEMENT OF A DECISION. THE MINISTER-PRESIDENT OF
BADEN-WUERTENBERG, FILBINGER, WHO FACES A STATE ELECTION
ON APRIL 4, HAS CALLED FOR DEFEAT OF THE PENSION AGREE-
MENT BY THE BUNDESRAT ON MARCH 12.
THE MINISTER-PRESIDENT OF SCHLESWIG HOLSTEIN,
STOLTENBERG, ADVOCATES RENEGOTIATION. CDU CHAIRMAN
KOHL HAS STATED THAT HE WILL OPPOSE THE PENSION AGREE-
MENT IN THE BUNDESRAT. KOHL HAS NOT, AND CANNOT,
IMPOSE HIS POSITION ON THE OTHER MINISTER-PRESIDENTS.
HE HAS STATED THAT EACH SHOULD VOTE ACCORDING TO HIS
OWN OPINION.

4. OPPOSITION STRATEGY: AS CAN BE SEEN FROM THE
PRECEDING PARAGRAPH THE OPPOSITION HAS NOT AS YET AGREED
ON STRATEGY, TACTICS, OR EVEN WHAT THE FINAL OUTCOME
OF THE VOTE SHOULD BE. THE MOST COMMON ELEMENT IN THE
VARIOUS POSITIONS INDIVIDUALS HAVE TAKEN IS CRITICISM
OF THE WAY THE AGREEMENTS WERE NEGOTIATED. THIS
CRITICISM IS EXPRESSED IN A CALL FOR MORE INFORMATION'
ASSURANCES FROM POLAND, OR EVEN RENEGOTIATION OF THE
AGREEMENTS. THE CDU RESOLUTION CONTAINING 11
RESERVATIONS WHICH WAS PASSED BY THE BUNDESRAT ON
NOVEMBER 7 (BONN 18254) IS STILL THE OPERATIVE
EXPRESSIO OF THE OPPOSITION'S POSITION. COMMENT SINCE
NOVEMBER HAS CONCENTRATED ON THE NECESSITY FOR

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 02526

OBTAINING ASSURANCES FROM POLAND THAT ETHNIC GERMANS OVER AND ABOVE 125,000 WILL HAVE THE OPTION TO EMIGRATE AFTER FOUR YEARS; FURTHERMORE THAT ETHNIC GERMANS IN POLAND WILL NOT BE DISCRIMINATED AGAINST OR HARASSED IN ANY WAY IF THEY INDICATE DESIRE TO EMIGRATE. THE CDU/CSU ELECTION CAMPAIGN TEAM AND THE MINISTER-PRESIDENTS OF THE CDU/CSU CONTROLLED LAENDER ARE SCHEDULED TO MEET NEXT WEEK TO DISCUSS THE POLISH AGREEMENTS. THIS MEETING MAY DECIDE THE FATE OF THE PENSION AGREEMENT IN THE BUNDESRAT.

5. THE GOVERNMENT STRATEGY: THE FOREIGN OFFICE HAS DEFENDED THE AGREEMENTS AS NEGOTIATED. IT HAS POINTED OUT THAT THE POSSIBILITY OF CONTINUING EMIGRATION OVER AND ABOVE 125,000 IS PROVIDED FOR IN BOTH THE AGREEMENTS OF 1970 AND 1975. WHILE THE FONOFF HAS STATED PUBLICLY THAT THERE IS NO NEED FOR NEW NEGOTIATIONS OR ASSURANCES, IT IS POSSIBLE THAT IT HAS SOUGHT SOME ADDITIONAL ASSURANCES FROM POLAND AT A VERY HIGH LEVEL. OUR SOURCES IN THE FONOFF TELL US THAT THIS POSSIBILITY CANNOT BE EXCLUDED.

6. POSSIBLE OUTCOME: WHILE THE BUNDESRAT MUST CONSIDER THE PENSION AGREEMENT IN MARCH, THE OPPOSITION MAJORITY
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THERE AFFORDS IT THE OPPORTUNITY OF THEN REFERRING THE PENSION AGREEMENT TO JOINT CONFERENCE COMMISSION, WHERE IT CAN LANGUISH INDEFINITELY. WHETHER THIS WILL BE THE OUTCOME OR WHETHER THE PENSION AGREEMENT WILL BE APPROVED OR DEFEATED OUTRIGHT ON MARCH 12 DEPENDS ON A WHOLE SERIES OF DOMESTIC POLITICAL CONSIDERATIONS IN VARIOUS LAENDER. THE POSITIONS, TACTICS, AND OPINIONS OF THE MINISTER-PRESIDENTS, AS WELL AS CDU STRATEGY ABOUT FUTURE COOPERATION WITH THE FDP IN LOWER SAXONY AND/OR THE SAARLAND, WILL BE THE DETERMINING FACTORS. AT THIS STAGE IT'S IMPOSSIBLE TO PREDICT HOW ALL THESE FACTORS WILL COME TOGETHER ON MARCH 12. IT'S CLEAR, HOWEVER, THAT THE PROSPECT OF OUTRIGHT DEFEAT OR INDEFINITE POSTPONEMENT OF THE PENSION AGREEMENT WAS GREATLY ENHANCED BY THE ELECTION OF A CDU GOVERNMENT

IN LOWER SAXONY.
CROWLEY

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